

# **Exhibit B**

STATE OF INDIANA ) MARION COUNTY CIRCUIT COURT 1  
 ) SS:  
COUNTY OF MARION ) CAUSE NO. 49D06-1812-CC-047850  
  
AUOMOTIVE FINANCE CORP. )  
Plaintiff, )  
 )  
v. )  
 )  
CT102 LLC D/B/A METRO )  
MOTORS AND HERMAN BAKER )  
Aka H. JEFFREY BAKER aka )  
HERMAN J. BAKER aka H J )  
BAKER aka JEFFREY BAKER aka )  
JEFF BAKER, )  
Defendants. )

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**ANSWER AND AFFIRMATIVE DEFENSES**

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Comes now Defendants, by counsel, and tenders the Answer and Affirmative Defenses in response to the Complaint, and in support state as follows:

**ANSWER**

1. The Defendants deny the allegations contained in paragraph 1 of the Complaint.
2. The Defendants deny the allegations in paragraph 2 of the Complaint.
3. The Defendants deny the allegations in paragraph 3 of the Complaint.
4. The Defendants deny the allegations in paragraph 4 of the Complaint.
5. The Defendants deny the allegations in paragraph 5 of the Complaint.
6. The Defendants deny the allegations in paragraph 6 of the Complaint.
7. The Defendants deny the allegations in paragraph 7 of the Complaint.
8. The Defendants deny the allegations in paragraph 8 of the Complaint.
9. The Defendants deny the allegations in paragraph 9 of the Complaint.

**GUARANTEE**

1. The Defendants deny the allegations in paragraph 1 of the Complaint.
2. The Defendants deny the allegations in paragraph 2 of the Complaint.
3. The Defendants deny the allegations in paragraph 3 of the Complaint.
4. The Defendants deny the allegations in paragraph 4 of the Complaint
5. The Defendants deny the allegations in paragraph 5 of the Complaint

**FRAUD/CONVERSION**

1. The Defendants deny the allegations in paragraph 1 of the Complaint.
2. The Defendants deny the allegations in paragraph 2 of the Complaint.
3. The Defendants deny the allegations in paragraph 3 of the Complaint.
4. The Defendants deny the allegations in paragraph 4 of the Complaint.
5. The Defendants deny the allegations in paragraph 5 of the Complaint.
6. The Defendants deny the allegations in paragraph 6 of the Complaint.
7. The Defendants deny the allegations in paragraph 7 of the Complaint.
8. The Defendants deny the allegations in paragraph 8 of the Complaint.

WHEREFORE, Defendants, by counsel, respectfully request that Plaintiff take nothing against them by way of Plaintiff's Complaint, and for all other just and proper relief in the premises.

**AFFIRMATIVE DEFENSES**

Defendants, by counsel, state as follows for their Affirmative Defenses:

1. Failure to state a claim upon which relief can be granted;
2. The procedural rules have not been followed;
3. The documents attached are not true and accurate copies;
4. Improper venue;
5. Plaintiff is in breach of contract;

6. False and fraudulent charges by Plaintiff;
7. The acts/omissions alleged are by third parties and not by Defendant;
8. Laches;
9. Plaintiff's own conduct / unclean hands;
10. Estoppel;
11. Plaintiff has been unjustly enriched;
12. Accord and satisfaction;
13. Failure to mitigate damages;
14. Good faith by Defendants;
15. Acquiescence;
16. Defendants are entitled to an offset/setoff;
17. Defendants, by counsel, reserve the right to assert additional affirmative and other defenses as they may become applicable during the course of discovery.

WHEREFORE, Defendants, by counsel, respectfully request that Plaintiff take nothing against them by way of Plaintiff's Complaint, and for all other just and proper relief in the premises.

Respectfully submitted,

CAMDEN & MERIDEW, P.C.

/s/ Julie A. Camden  
Julie A. Camden, #26789-49  
Counsel for Petitioner  
**CAMDEN & MERIDEW, P.C.**  
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Fax: (888)339-9611  
jc@camlawyers.com

**CERTIFICATE OF SERVICE**

I certify that on **December 27, 2018**, I electronically filed the foregoing document using the Indiana EFiled System (IEFS). I also certify that on **December 27, 2018** the foregoing document was served upon the following person via IEFS:

Christine Hayes Hickey

/s/Julie A. Camden  
Julie A. Camden, # 26789-49